

# Daily Digest

## HIGHLIGHTS

Senator-Elect George LeMieux, of Florida, was administered the oath of office by the Vice President.

## Senate

### Chamber Action

*Routine Proceedings, pages S9193–S9279*

**Measures Introduced:** Five bills and four resolutions were introduced, as follows: S. 1658–1662, and S. Res. 258–261. **Page S9264**

#### Measures Reported:

H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, with an amendment in the nature of a substitute. (S. Rept. No. 111–74)

S. 1599, to amend title 36, United States Code, to include in the Federal charter of the Reserve Officers Association leadership positions newly added in its constitution and bylaws. **Pages S9263–64**

#### Measures Passed:

**National Day of Service and Remembrance:** Committee on the Judiciary was discharged from further consideration of S. Res. 245, recognizing September 11, 2009, as a “National Day of Service and Remembrance”, and the resolution was then agreed to, after agreeing to the following amendments proposed thereto: **Pages S9272–73**

Whitehouse (for Schumer) Amendment No. 2326, to amend the resolving clause. **Page S9273**

Whitehouse (for Schumer) Amendment No. 2327, to amend the title. **Page S9273**

**National Estuaries Day:** Committee on the Judiciary was discharged from further consideration of S. Res. 247, designating September 26, 2009, as “National Estuaries Day”, and the resolution was then agreed to. **Page S9273**

**National Celiac Disease Awareness Day:** Senate agreed to S. Res. 259, designating September 13, 2009, as “National Celiac Disease Awareness Day”. **Pages S9273–74**

**The American Legion Day:** Senate agreed to S. Res. 260, designating September 16, 2009, as “The American Legion Day”. **Pages S9274–75**

**National Day of Encouragement:** Senate agreed to S. Res. 261, designating September 12, 2009, as “National Day of Encouragement”. **Page S9275**

#### Measures Considered:

**Transportation, Housing and Urban Development, and Related Agencies Appropriations Act—Agreement:** Senate began consideration of H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010. **Pages S9233–55**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Friday, September 11, 2009. **Page S9276**

#### Appointments:

**United States Senate Caucus on International Narcotics Control:** The Chair, on behalf of the Majority Leader, pursuant to the provisions of Public Law 99–93, as amended by Public Law 99–151, appointed Senator Udall (NM) as a member of the United States Senate Caucus on International Narcotics Control. **Page S9275**

**Senators Kennedy and Martinez Tributes—Agreement:** A unanimous-consent agreement was reached providing that the tributes to Senators Kennedy and Martinez in the *Congressional Record* be printed as separate Senate documents and that Senators be permitted to submit statements for inclusion until Friday, October 9, 2009. **Page S9275**

**Message from the President:** Senate received the following message from the President of the United States: Transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to the terrorist attacks on the United States of September 11, 2001; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–30) **Page S9260**

**Nominations Confirmed:** Senate confirmed the following nominations:

By 57 yeas 40 nays (Vote No. EX. 274), Cass R. Sunstein, of Massachusetts, to be Administrator of

the Office of Information and Regulatory Affairs, Office of Management and Budget. **Pages S9229–30, S9231–33, S9279**

Anthony Marion Babauta, of Virginia, to be an Assistant Secretary of the Interior.

John R. Fernandez, of Indiana, to be Assistant Secretary of Commerce for Economic Development.

Gary S. Guzy, of the District of Columbia, to be Deputy Director of the Office of Environmental Quality. **Pages S9275–76, S9279**

**Nominations Received:** Senate received the following nominations:

Scott D. O'Malia, of Michigan, to be a Commissioner of the Commodity Futures Trading Commission for the remainder of the term expiring April 13, 2010 vice Walter Lukken, resigned.

Scott D. O'Malia, of Michigan, to be a Commissioner of the Commodity Futures Trading Commission for a term expiring April 13, 2015.

Harris D. Sherman, of California, to be Under Secretary of Agriculture for Natural Resources and Environment.

Harris D. Sherman, of California, to be a Member of the Board of Directors of the Commodity Credit Corporation.

A routine list in the Foreign Service.

<b>Messages from the House:</b>	<b>Page S9260</b>
<b>Measures Referred:</b>	<b>Pages S9260–61</b>
<b>Executive Communications:</b>	<b>Pages S9261–63</b>
<b>Executive Reports of Committees:</b>	<b>Page S9264</b>
<b>Additional Cosponsors:</b>	<b>Pages S9264–65</b>
<b>Statements on Introduced Bills/Resolutions:</b>	<b>Pages S9265–70</b>
<b>Additional Statements:</b>	<b>Pages S9259–60</b>
<b>Amendments Submitted:</b>	<b>Pages S9270–71</b>
<b>Notices of Hearings/Meetings:</b>	<b>Page S9272</b>
<b>Authorities for Committees to Meet:</b>	<b>Page S9272</b>
<b>Privileges of the Floor:</b>	<b>Page S9272</b>
<b>Record Votes:</b> One record vote was taken today. (Total—274)	<b>Page S9233</b>

**Adjournment:** Senate convened at 9:30 a.m. and adjourned at 7:21 p.m., until 9:30 a.m. on Friday, September 11, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S9278.)

## Committee Meetings

(Committees not listed did not meet)

### APPROPRIATIONS: DEPARTMENT OF DEFENSE

*Committee on Appropriations:* Committee ordered favorably reported H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, with an amendment in the nature of a substitute.

### SECURITIES AND EXCHANGE COMMISSION

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded an oversight hearing to examine the Securities and Exchange Commission (SEC), and how to improve the Securities and Exchange Commission's performance, after receiving testimony from H. David Kotz, Inspector General, Robert Khuzami, Director, Division of Enforcement, and John Walsh, Acting Director, Office of Compliance Inspections and Examinations, all of the United States Securities and Exchange Commission; and Harry Markopolos, Boston, Massachusetts.

### OIL AND GAS PROVISIONS

*Committee on Finance:* Subcommittee on Energy, Natural Resources, and Infrastructure concluded a hearing to examine oil and gas tax provisions, focusing on the President's fiscal year 2010 budget proposal, after receiving testimony from Alan B. Krueger, Assistant Secretary of the Treasury for Economic Policy and Chief Economist; Stephen P.A. Brown, Resources for the Future, Arlington, Texas; Calvin Johnson, The University of Texas School of Law, Austin; J. Larry Nichols, Devon Energy Corporation, Oklahoma City, Oklahoma, on behalf of the American Petroleum Institute; Kevin Book, ClearView Energy Partners, LLC, Washington, D.C.; and Buddy Kleemeier, Independent Petroleum Association of America, Tulsa, Oklahoma.

### IRAQ: REPORT FROM THE FIELD

*Committee on Foreign Relations:* Committee concluded a hearing to examine Iraq, focusing on a report from the field, after receiving testimony from Christopher R. Hill, United States Ambassador to Iraq, Department of State.

### STIMULUS SPENDING, TRANSPARENCY, AND FRAUD PREVENTION

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine an update on stimulus spending, transparency, and fraud prevention, focusing on selected states' and localities' uses of Recovery Act funds, the approaches

taken by states and localities to ensure accountability, and states' plans to evaluate the impact of funds, after receiving testimony from Robert L. Nabors II, Deputy Director, Office of Management and Budget; Jon Leibowitz, Chairman, Federal Trade Commission; Earl E. Devaney, Chairman, Recovery Accountability and Transparency Board; and J. Christopher Mihm, Managing Director, Strategic Issues, Government Accountability Office.

## BUSINESS MEETING

*Committee on Indian Affairs:* Committee ordered favorably reported the following business items:

S. 797, to amend the Indian Law Enforcement Reform Act, the Indian Tribal Justice Act, the Indian Tribal Justice Technical and Legal Assistance Act of 2000, and the Omnibus Crime Control and Safe Streets Act of 1968 to improve the prosecution of, and response to, crimes in Indian country, with an amendment in the nature of a substitute;

S. 313, to resolve water rights claims of the White Mountain Apache Tribe in the State of Arizona, with an amendment in the nature of a substitute;

S. 375, to authorize the Crow Tribe of Indians water rights settlement, with an amendment in the nature of a substitute;

S. 965, to approve the Taos Pueblo Indian Water Rights Settlement Agreement, with an amendment;

S. 1105, to authorize the Secretary of the Interior, acting through the Commissioner of Reclamation, to develop water infrastructure in the Rio Grande Basin, and to approve the settlement of the water rights claims of the Pueblos of Nambe, Pojoaque, San Ildefonso, and Tesuque, with an amendment; and

S. 1388, to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam.

## INDIAN YOUTH SUICIDE PREVENTION ACT

*Committee on Indian Affairs:* Committee concluded a hearing to examine S. 1635, to establish an Indian youth telemental health demonstration project, to enhance the provision of mental health care services to Indian youth, to encourage Indian tribes, tribal organizations, and other mental health care providers serving residents of Indian country to obtain the services of predoctoral psychology and psychiatry interns, after receiving testimony from Yvette Roubideaux, Director, Indian Health Service, and Eric B. Broderick, Acting Administrator, Substance Abuse and Mental Health Services Administration, both of the Department of Health and Human Services; and Dolores Subia BigFoot, Indian Country Child Trauma Center, Washington, D.C., on behalf of the American Psychological Association.

## BUSINESS MEETING

*Committee on the Judiciary:* Committee ordered favorably reported S. 1599, to amend title 36, United States Code, to include in the Federal charter of the Reserve Officers Association leadership positions newly added in its constitution and bylaws; and

The nominations of Jeffrey L. Viken, to be United States District Judge for the District of South Dakota, and Beverly Baldwin Martin, to be United States Circuit Judge for the Eleventh Circuit, and Peter F. Neronha, to be United States Attorney for the District of Rhode Island, Daniel G. Bogden, to be United States Attorney for the District of Nevada, Dennis K. Burke, to be United States Attorney for the District of Arizona, and Neil H. MacBride, to be United States Attorney for the Eastern District of Virginia, all of the Department of Justice.

Also, committee announced the following subcommittee assignments:

*Subcommittee on Administrative Oversight and the Courts:* Senators Whitehouse (Chair), Feinstein, Feingold, Schumer, Cardin, Kaufman, Franken, Sessions, Grassley, Kyl, and Graham.

*Subcommittee on Antitrust, Competition Policy and Consumer Rights:* Senators Kohl (Chair), Schumer, Whitehouse, Klobuchar, Kaufman, Specter, Franken, Hatch, Grassley, and Cornyn.

*Subcommittee on the Constitution:* Senators Feingold (Chair), Feinstein, Durbin, Cardin, Whitehouse, Specter, Coburn, Kyl, Cornyn, and Graham.

*Subcommittee on Crime and Drugs:* Senators Specter (Chair), Kohl, Feinstein, Feingold, Schumer, Durbin, Cardin, Klobuchar, Kaufman, Graham, Hatch, Grassley, Sessions, and Coburn.

*Subcommittee on Immigration, Refugees, and Border Security:* Senators Schumer (Chair), Leahy, Feinstein, Durbin, Whitehouse, Cornyn, Grassley, Kyl, and Sessions.

*Subcommittee on Terrorism and Homeland Security:* Senators Cardin (Chair), Kohl, Feinstein, Schumer, Durbin, Kaufman, Kyl, Hatch, Sessions, Cornyn, and Coburn.

*Subcommittee on Human Rights and the Law:* Senators Durbin (Chair), Feingold, Cardin, Kaufman, Specter, Franken, Coburn, Cornyn, and Graham.

## AMERICAN LEGION

*Committee on Veterans' Affairs:* Committee concluded a joint hearing with the House Committee on Veterans Affairs to examine the legislative presentation of the American Legion, after receiving testimony from Clarence Hill, Steve Robertson, James Koutz, K. Robert Lewis, and Barry Searle, all of the American Legion, Washington, D.C.

# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 9 public bills, H.R. 3547–3555; and 10 resolutions, H. Con. Res. 181–182; and H. Res. 729–736 were introduced.

**Pages H9441–42**

**Additional Cosponsors:**

**Pages H9442–43**

**Reports Filed:** Reports were filed today as follows:

H.R. 940, to provide for the conveyance of National Forest System land in the State of Louisiana (H. Rept. 111–250);

H.R. 1002, to adjust the boundaries of Pisgah National Forest in McDowell County, North Carolina (H. Rept. 111–251);

H.R. 3175, to direct the Secretary of Agriculture to convey to Miami-Dade County certain federally owned land in Florida (H. Rept. 111–252); and

H.R. 511, to authorize the Secretary of Agriculture to terminate certain easements held by the Secretary on land owned by the Village of Caseyville, Illinois, and to terminate associated contractual arrangements with the Village (H. Rept. 111–253).

**Page H9441**

**Chaplain:** The prayer was offered by the Guest Chaplain, Dean George Werner, Trinity Cathedral, Pittsburgh, Pennsylvania.

**Page H9399**

**Chesapeake Bay Gateways and Watertrails Network Continuing Authorization Act:** The House passed H.R. 965, to amend the Chesapeake Bay Initiative Act of 1998 to provide for the continuing authorization of the Chesapeake Bay Gateways and Watertrails Network, by a recorded vote of 311 ayes to 107 noes, Roll No. 695.

**Pages H9402–10**

Rejected the Hastings (WA) motion to recommit the bill to the Committee on Natural Resources with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 194 yeas to 229 nays, Roll No. 694.

**Pages H9407–09**

Rejected:

Bishop (UT) amendment in the nature of a substitute (printed in H. Rept. 111–249) that sought to reauthorize appropriations for the Chesapeake Bay Initiative Act of 1998 at the existing, authorized funding level for an additional five years.

**Pages H9405–07**

H. Res. 726, the rule providing for consideration of the bill, was agreed to by voice vote after it was agreed to order the previous question without objection.

**Pages H9401–02**

**Moment of Silence:** The House observed a moment of silence in honor of W. G. (Bill) Hefner, former Member of Congress.

**Page H9409**

**Meeting Hour:** Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, September 14 for morning hour debate, and further, when the House adjourns on that day, it adjourn to meet at 10:30 a.m. on Tuesday, September 15 for morning hour debate.

**Page H9412**

**Late Report:** Agreed that the Committee on Science and Technology have until 11:59 p.m. on Friday, September 11, 2009 to file its report to accompany H.R. 3246.

**Pages H9426–27**

**Presidential Message:** Read a message from the President wherein he notified Congress of the continuation of the national emergency declared with respect to the terrorist attacks on the United States of September 11, 2001—referred to the Committee on Foreign Affairs and ordered printed (H. Doc. 111–63).

**Page H9432**

**Senate Message:** Message received from the Senate today appears on page H9409.

**Senate Referrals:** S. 1023 was held at the desk.

**Page H9409**

**Quorum Calls—Votes:** One yea-and-nay vote and one recorded vote developed during the proceedings of today and appear on pages H9408 and H9409–10. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 4:22 p.m.

## Committee Meetings

### PROFESSIONAL MILITARY EDUCATION

*Committee on Armed Services:* Subcommittee on Oversight and Investigations held a hearing on Charting the Course for Effective Professional Military Education. Testimony was heard from public witnesses.

### CONSUMER PRODUCT SAFETY COMMISSION OVERSIGHT

*Committee on Energy and Commerce:* Subcommittee on Commerce, Trade, and Consumer Protection held a hearing entitled “Consumer Product Safety Commission Oversight: Current Issues and a Vision for the Future.” Testimony was heard from Inez Moore Tenenbaum, Chairman, Consumer Product Safety Commission

**RECOVERY ACT—BROADBAND**

*Committee on Energy and Commerce:* Subcommittee on Communications, Technology, and the Internet held a hearing entitled “Oversight of the American Recovery and Reinvestment Act: Broadband, Part 2.” Testimony was heard from Lawrence E. Strickling, Assistant Secretary, Communications and Information, National Telecommunications and Information Administration, Department of Commerce; and Jonathan S. Adelstein, Administrator, Rural Utilities Service, USDA.

**WORLD BANK’S DISCLOSURE POLICY REVIEW**

*Committee on Financial Services:* Held a hearing entitled “The World Bank’s Disclosure Policy Review and the Role of Democratic Participatory Process in Achieving Successful Development Outcomes.” Testimony was heard from public witnesses.

**IRAQ OUTLOOK**

*Committee on Foreign Affairs:* Held a hearing on Outlook for Iraq and U.S. Policy. Testimony was heard from Christopher R. Hill, Ambassador to Iraq.

**U.S.-CHINA RELATIONS**

*Committee on Foreign Affairs:* Subcommittee on Asia, the Pacific and the Global Environment held a hearing on U.S.-China Relations: Maximizing the Effectiveness of the Strategic and Economic Dialogue. Testimony was heard from David Shear, Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs, Department of State; David Loevinger, Executive Secretary and Senior Coordinator for China Affairs and the Strategic and Economic Dialogue, Department of the Treasury; Randall G. Schriver, former Deputy Assistant Secretary, East Asian and Pacific Affairs, Department of State; and public witnesses.

**DIGITAL BOOKS COMPETITION**

*Committee on the Judiciary:* Held a hearing on Competition and Commerce in Digital Books. Testimony was heard from Marybeth Peters, Register of Copyrights, U.S. Copyright Office, Library of Congress; and public witnesses.

**MISCELLANEOUS MEASURES**

*Committee on Natural Resources:* Ordered reported the following bills: H.R. 685, amended, United States Civil Rights Trail System Act of 2009; H.R. 1593, amended, To amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System; H.R. 2802, amended, To provide for an extension of the legisla-

tive authority of the Adams Memorial Foundation to establish a commemorative work in honor of former President John Adams and his legacy, and for other purposes; H.R. 2806, To authorize the Secretary of the Interior to adjust the boundary of the Stephen Mather Wilderness and the North Cascades National Park in order to allow the rebuilding of a road outside of the floodplain while ensuring that there is no net loss of acreage to the Park or the Wilderness, and for other purposes; H.R. 3113, Upper Elk River Wild and Scenic Study Act; H.R. 2008, amended, Bonneville Unit Clean Hydropower Facilitation Act; H.R. 2265, Magna Water District Water Reuse and Groundwater Recharge Act of 2009; H.R. 2442, Bay Area Regional Water Recycling Program Expansion Act of 2009; H.R. 2522, To raise the ceiling on the Federal share of the cost of the Calleguas Municipal Water District Recycling Project, and for other purposes; H.R. 2741, To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the City of Hermiston, Oregon, water recycling and reuse project, and for other purposes; and H.R. 2950, amended, To direct the Secretary of the Interior to allow for prepayment of repayment contracts between the United States and the Uintah Water Conservancy District.

**MISCELLANEOUS MEASURES**

*Committee on Oversight and Government Reform:* Ordered reported the following measures: H.R. 1881, Transportation Security Workforce Enhancement Act of 2009; H.R. 2495, Federal Real Property Disposal Enhancement Act of 2009; H.R. 2092, amended, Kingman and Heritage Islands Act of 2009; H.R. 2711, amended, Families of Fallen Heroes Act; H. Con. Res. 163, Expressing support for designation of September 23 as “National Job Corps Day”; H. Res. 441, Honoring the historical contributions of Catholic sisters in the United States; H. Res. 679, Supporting the goals and ideals of American Legion Day; H.R. 2215, To designate the facility of the United States Postal Service located at 140 Merriman Road in Garden City, Michigan, as the “John J. Shiven Post Office Building”; H.R. 3319, To designate the facility of the United States Postal Service located at 440 South Gulling Street in Portola, California, as the “Army Specialist Jeremiah Paul McCleery Post Office Building”; and H.R. 3386, To designate the facility of the United States Postal Service located at 1165 2nd Avenue in Des Moines, Iowa, as the “Iraq and Afghanistan Veterans Memorial Post Office”.

**BIOLOGICAL RESEARCH—ENERGY AND MEDICAL APPLICATIONS**

*Committee on Science and Technology:* Subcommittee on Energy and Environment held a hearing on Biological Research for Energy and Medical Applications at the Department of Energy Office of Science. Testimony was heard from the following officials of the Department of Energy: Anna Palmisano, Director, Office of Biological and Environmental Research; and Jehanne Gillo, Office of Nuclear Physics; and public witnesses.

**FINANCIAL MODELING RISKS**

*Committee on Science and Technology:* Subcommittee on Investigations and Oversight held a hearing on the Risks of Financial Modeling: VaR and the Economic Meltdown. Testimony was heard from public witnesses.

**HAZARDOUS MATERIALS SAFETY**

*Committee on Transportation and Infrastructure:* Held a hearing on Concerns with Hazardous Materials Safety in the U.S.: Is PHMSA Performing its Mission? Testimony was heard from the following officials of the Department of Transportation: Calvin L. Scovel III, Inspector General; and John D. Porcari, Deputy Secretary; and a public witness.

**VA—SPACE AND NAVAL WARFARE INTERAGENCY AGREEMENT**

*Committee on Veterans' Affairs:* Subcommittee on Economic Opportunity held a hearing on Vocational Rehabilitation and Review of SPAWAR and VA's Interagency Agreement. Testimony was heard from the following officials of the Department of Veterans Affairs: Maureen T. Regan, Counselor to the Inspector General, Office of Inspector General; CPT Mark Krause, USN, (Ret.), Department of Veterans Affairs

Program Manager, Space and Naval Warfare Systems Center Atlantic; and Roger W. Baker, Assistant Secretary, Information and Technology.

**ROADMAP TO COPENHAGEN**

*Select Committee on Energy Independence and Global Warming:* Held a hearing entitled "Roadmap to Copenhagen: Driving Toward Success." Testimony was heard from Todd Stern, U.S. Special Envoy, Climate Change, Department of State.

***Joint Meetings*****INCOME, POVERTY, AND HEALTH INSURANCE COVERAGE**

*Joint Economic Committee:* Committee concluded a hearing to examine income, poverty, and health insurance coverage, focusing on assessing key census indicators of family well-being in 2008, after receiving testimony from Rebecca Blank, Under Secretary of Commerce for Economic Affairs; Cecilia Rouse, Member, Council of Economic Advisers; and Karen Davis, Commonwealth Fund, Harry Holzer, Georgetown University, on behalf of the Urban Institute, and Thomas P. Miller, American Enterprise Institute, all of Washington, D.C.

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**COMMITTEE MEETINGS FOR FRIDAY,  
SEPTEMBER 11, 2009**

*(Committee meetings are open unless otherwise indicated)*

**Senate**

No meetings/hearings scheduled.

**House**

No committee meetings are scheduled.

*Next Meeting of the SENATE*

9:30 a.m., Friday, September 11

*Next Meeting of the HOUSE OF REPRESENTATIVES*

12:30 p.m., Monday, September 14

## Senate Chamber

**Program for Friday:** After the transaction of any morning business (not to extend beyond 10:30 a.m.), Senate will continue consideration of H.R. 3288, Transportation, Housing and Urban Development, and Related Agencies Appropriations Act. Also, Senate will observe a moment of silence in commemoration of the 8th anniversary of the September 11th terrorist attacks.

## House Chamber

**Program for Monday:** To be announced.

## Extensions of Remarks, as inserted in this issue

## HOUSE

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